

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES E. BACHMAN, ADELLA A.
BACHMAN, ERIC J. BACHMAN,
RACHEL A. BACHMAN, MATTHEW R.
BACHMAN, and C. ANDREW
BACHMAN,

Plaintiffs,

vs.

JOHN Q. BACHMAN, and LEAF
SUPREME PRODUCTS, LLC, A
Nebraska Limited Liability Co.;

Defendants.

8:19CV276

AMENDED PROGRESSION ORDER

IT IS ORDERED that the unopposed motion to extend (Filing No. 150) is granted and the unexpired deadlines in the final progression order are extended as follows:

- 1) The telephonic status conference currently set for April 1, 2021 before the undersigned magistrate judge remains set for that time and date and counsel shall appear for the conference using the case conference instructions assigned to this case.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is April 19, 2021. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by May 3, 2021.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference to discuss the parties' dispute.

- 3) The deadline for complete expert disclosures¹ for all experts expected to

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated

testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is May 25, 2021.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is June 25, 2021.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is July 26, 2021.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is July 26, 2021.
- 7) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 19th day of January, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

within that expert's treatment records and reports must be separately and timely disclosed.